



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII, MONTANA OFFICE
FEDERAL BUILDING, 301 S. PARK, DRAWER 10096
HELENA, MONTANA 59626-0096

Ref: 8MO

October 17, 1989

Mr. Robert W. Lawrence, Esq.
Parcel, Mauro, Hultin and Spaanstra, P.C.
Attorneys at Law
1801 California Street, Suite 3600
Denver, CO 80202

Re: The EPA's response to comments submitted by the
Atlantic Richfield Company (ARCO) concerning the
Proposed Plan for cleanup of the process ponds at the
East Helena smelter site (CERCLA)

Dear Mr. Lawrence:

Your letter of September 20 requested additional time for
ARCO to conduct a review of the Process Ponds Remedial
Investigation and Feasibility Study and it offered comments
concerning the EPA's selected remedy as presented in the Proposed
Plan.

With respect to your comments on behalf of ARCO, because
they raise essentially the same issues raised by Jon Nickel (on
behalf of ASARCO), I enclose a copy of the EPA's response to Mr.
Nickel. It explains that the EPA has received the information
needed to reevaluate the in situ treatment method for Lower Lake
water and has selected this method as part of the preferred
remedy. It also explains the EPA's rationale for requiring two
feet of excavation below the artificially deposited layers at
Lower Lake and Thornock Lake, and deep excavation at the
remaining areas. Briefly, deep excavation is necessary at the
acid plant because soils there exhibit characteristics of EP
toxicity throughout the soil profile tested (from the surface
down to the coarse gravels).

These issues were raised consistently by those who provided
comments, both written and spoken. In light of the uniformity
among comments, in light of the EPA's willingness to make
important adjustments in response to comments, and in light of
the fact that the EPA, state, community and ASARCO already agreed
in principle on the major components of the remedy, we felt that
21 days were adequate for public review. Therefore, we see no
need to extend the comment period.

Site East Helena
File # 1.10 and 2.00
Confidential: Yes ☐ No ☒
Admin. Record: Yes ☒ No ☐
Key Words/Comments: EPA's response
to ARCO's comments on
Process Ponds Proposed
Plan

If you have any question or concern that has not been addressed, please do not hesitate to contact Sandra Moreno or me. We appreciate your input and we take this opportunity to remind you that a more comprehensive site-wide feasibility study will be released for public review approximately 6-8 months from now. As was done in the case of the Process Ponds Proposed Plan, I will send a copy of the plan and an announcement concerning the availability of the RI/FS report to Robert Dent at the beginning of the public review period for that report.

Sincerely,



D. Scott Brown
Remedial Project Manager

Enclosure

cc: Sandra Moreno, 8RC
Patty Lee, ICF
Dave Bunte, CH2M Hill
Jon Nickel, ASARCO